Message

From: Tanner, Barbara [Tanner.Barbara@epa.gov]
Sent: 4/10/2019 5:14:25 PM
To: Faeth, Lisa [Faeth.Lisa@epa.gov]; Anderson, Steve [Anderson.Steve@epa.gov]; Askinazi, Valerie [Askinazi.Valerie@epa.gov]; Baptist, Erik [Baptist.Erik@epa.gov]; Barkas, Jessica [barkas.jessica@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Blair, Susanna [Blair.Susanna@epa.gov]; Buster, Pamela [Buster.Pamela@epa.gov]; Canavan, Sheila [Canavan.Sheila@epa.gov]; Caraballo, Mario [Caraballo.Mario@epa.gov]; Carroll, Megan [Carroll.Megan@epa.gov]; Cherepy, Andrea [Cherepy.Andrea@epa.gov]; Christian, Myrta [Christian.Myrta@epa.gov]; Corado, Ana [Corado.Ana@epa.gov]; Davies, Clive [Davies.Clive@epa.gov]; Dekleva, Lynn [dekleva.lynn@epa.gov]; Devito, Steve [Devito.Steve@epa.gov]; Doa, Maria [Doa.Maria@epa.gov]; Drewes, Scott [Drewes.Scott@epa.gov]; Dunn, Alexandra [dunn.alexandra@epa.gov]; Dunton, Cheryl [Dunton.Cheryl@epa.gov]; Edelstein, Rebecca [Edelstein.Rebecca@epa.gov]; Edmonds, Marc [Edmonds.Marc@epa.gov]; Elwood, Holly [Elwood.Holly@epa.gov]; Farquharson, Chenise [Farquharson.Chenise@epa.gov]; Fehrenbacher, Cathy [Fehrenbacher.Cathy@epa.gov]; Feustel, Ingrid [feustel.ingrid@epa.gov]; Frank, Donald [Frank.Donald@epa.gov]; Gibson, Hugh [Gibson.Hugh@epa.gov]; Gimlin, Peter [Gimlin.Peter@epa.gov]; Gorder, Chris [Gorder.Chris@epa.gov]; Gordon, Brittney [Gordon.Brittney@epa.gov]; Grant, Brian [Grant.Brian@epa.gov]; Gray, Shawna [Gray.Shawna@epa.gov]; Groeneveld, Thomas [Groeneveld.Thomas@epa.gov]; Guthrie, Christina [Guthrie.Christina@epa.gov]; Hanley, Mary [Hanley.Mary@epa.gov]; Helfgott, Daniel [Helfgott.Daniel@epa.gov]; Henry, Tala [Henry.Tala@epa.gov]; Kapust, Edna [Kapust.Edna@epa.gov]; Kemme, Sara [kemme.sara@epa.gov]; Koch, Erin [Koch.Erin@epa.gov]; Krasnic, Toni [krasnic.toni@epa.gov]; Lavoie, Emma [Lavoie.Emma@epa.gov]; Lee, Mari [Lee.Mari@epa.gov]; Lee, Virginia [Lee.Virginia@epa.gov]; Leopard, Matthew (OEI) [Leopard.Matthew@epa.gov]; Liva, Aakruti [Liva.Aakruti@epa.gov]; Lobar, Bryan [Lobar.Bryan@epa.gov]; Mclean, Kevin [Mclean.Kevin@epa.gov]; Menasche, Claudia [Menasche.Claudia@epa.gov]; Morris, Jeff [Morris.Jeff@epa.gov]; Moss, Kenneth [Moss.Kenneth@epa.gov]; Mottley, Tanya [Mottley.Tanya@epa.gov]; Moyer, Adam [moyer.adam@epa.gov]; Myers, Irina [Myers.Irina@epa.gov]; Myrick, Pamela [Myrick.Pamela@epa.gov]; Nazef, Laura [Nazef.Laura@epa.gov]; Ortiz, Julia [Ortiz.Julia@epa.gov]; Owen, Elise [Owen.Elise@epa.gov]; Parsons, Doug [Parsons.Douglas@epa.gov]; Passe, Loraine [Passe.Loraine@epa.gov]; Pierce, Alison [Pierce.Alison@epa.gov]; Pratt, Johnk [Pratt.Johnk@epa.gov]; Price, Michelle [Price.Michelle@epa.gov]; Reese, Recie [Reese.Recie@epa.gov]; Reisman, Larry [Reisman.Larry@epa.gov]; Rice, Cody [Rice.Cody@epa.gov]; Richardson, Vickie [Richardson.Vickie@epa.gov]; Ross, Philip [Ross.Philip@epa.gov]; Sadowsky, Don [Sadowsky.Don@epa.gov]; Santacroce, Jeffrey [Santacroce.Jeffrey@epa.gov]; Saxton, Dion [Saxton.Dion@epa.gov]; Scarano, Louis [Scarano.Louis@epa.gov]; Scheifele, Hans [Scheifele.Hans@epa.gov]; Schmit, Ryan [schmit.ryan@epa.gov]; Schweer, Greg [Schweer.Greg@epa.gov]; Scott Selken [spselken@up.com]; Scott, Elizabeth [Scott.Elizabeth@epa.gov]; Selby-Mohamadu, Yvette [Selby-Mohamadu.Yvette@epa.gov]; Seltzer, Mark [Seltzer.Mark@epa.gov]; Sheehan, Eileen [Sheehan.Eileen@epa.gov]; Sherlock, Scott [Sherlock.Scott@epa.gov]; Simons, Andrew [Simons.Andrew@epa.gov]; Sirmons, Chandler [Sirmons.Chandler@epa.gov]; Slotnick, Sue [Slotnick.Sue@epa.gov]; Smith, David G. [Smith.DavidG@epa.gov]; Smith-Seam, Rhoda [smith-seam.rhoda@epa.gov]; Stedeford, Todd [Stedeford.Todd@epa.gov]; Strauss, Linda [Strauss.Linda@epa.gov]; Symmes, Brian [Symmes.Brian@epa.gov]; Thompson, Tony [Thompson.Tony@epa.gov]; Tierney, Meghan [Tierney.Meghan@epa.gov]; Tillman, Thomas [Tillman.Thomas@epa.gov]; Tomassoni, Guy [Tomassoni.Guy@epa.gov]; Tran, Chi [Tran.Chi@epa.gov]; Turk, David [Turk.David@epa.gov]; Vendinello, Lynn [Vendinello.Lynn@epa.gov]; Wallace, Ryan [Wallace.Ryan@epa.gov]; Wheeler, Cindy [Wheeler.Cindy@epa.gov]; Widawsky, David [Widawsky.David@epa.gov]; Williams, Aresia [Williams.Aresia@epa.gov]; Williams, Bridget [Williams.Bridget@epa.gov]; Williamson, Tracy [Williamson.Tracy@epa.gov]; Wills, Jennifer [Wills.Jennifer@epa.gov]; Wise, Louise [Wise.Louise@epa.gov]; Wolf, Joel [Wolf.Joel@epa.gov]; Wright, Tracy [Wright.Tracy@epa.gov]; Yowell, John [yowell.john@epa.gov]; Tanner, Barbara [Tanner.Barbara@epa.gov]
Subject: News Articles (For EPA Distribution Only)

GREENWIRE ARTICLES

Lawmakers press Wheeler on agency's proposed budget cuts

Kevin Bogardus, E&E News reporter

EPA Administrator Andrew Wheeler during a hearing this morning. House Energy and Commerce Committee

Published: Tuesday, April 9, 2019

EPA Administrator Andrew Wheeler was on Capitol Hill again today to defend President Trump's budget plan for the agency.

Wheeler testified before the House Energy and Commerce Subcommittee on Environment and Climate Change, saying the fiscal 2020 proposal, which would slash nearly a third of EPA's current funds, would support the agency's mission of protecting public health and the environment.

Democratic lawmakers did not accept that assessment from the EPA chief, instead saying the Trump administration continued to focus on rolling back environmental regulations at the agency.

Rep. Paul Tonko (D-N.Y.), the subcommittee's chairman, said that while Wheeler has not been swamped with the same ethics troubles as his predecessor, Scott Pruitt, concerns remain over EPA's policy direction.

"While I'm relieved that you have not continued his pattern of indiscretions and ethical violations, I do have serious concerns about the course this agency, the EPA, has plotted under your leadership," Tonko said, saying the agency has downplayed climate change and devalued science.

Rep. John Shimkus (R-Ill.), ranking member on the subcommittee, was not as troubled by Trump's proposed budget cuts for EPA. Lawmakers should not be supporting duplicative environmental programs, he said.

"We should not advocate for more funding if all it is buying us is bureaucracy, regulatory confusion with other agencies, or woke-sounding programs that don't really improve public health and the environment," Shimkus said.

Democrats used today's hearing to press Wheeler to update lawmakers on planned rules as well as release more information.

Tonko asked the EPA head about the "secret science" proposal, which would limit EPA to using studies with publicly available data to draft its regulations. The agency has often used research that relied on health data kept confidential for privacy reasons to support its rules.

Wheeler said EPA intends to move forward with the proposal and issue it by the end of this year.

Rep. Frank Pallone (D-N.J.), chairman of the full committee, also pushed Wheeler on several fronts, including EPA's release of studies related to the chemical Pigment Violet 29.

Pallone lamented some of that information still had redactions and asked Wheeler to release it in full. The EPA administrator said the data was confidential business information.

"So the answer is no again," Pallone cut him off.

"Under the law, we can't," Wheeler replied.

Republicans also checked in during today's hearing about what was happening at EPA.

Rep. David McKinley (R-W.Va.) asked Wheeler about EPA's realignment of its 10 regional offices. Wheeler said the goal was to have those branches mirror the functions of headquarters, and the realignment should be implemented by Monday. He said some regional offices would be standing up enforcement divisions and other program offices under the proposal.

"I think consistency is long overdue, so thank you for doing that," McKinley said.

Rep. Bill Johnson (R-Ohio) asked about EPA's plans for the New Source Review program, which requires industrial facilities to add modern pollution controls when they are built or modified and has been heavily lobbied on by industry.

Wheeler said the agency was trying to modernize the program and noted changes to it were included in EPA's rule to curb power plant carbon emissions, known as the Affordable Clean Energy, or ACE, rule. The NSR changes may not remain in the final regulation, said the EPA chief.

"We are looking at whether or not to include that in the final regulation or separate it out as a separate NSR regulation," Wheeler said. "We will move forward with both pieces."

Wheeler was also questioned over EPA's handling of auto fuel efficiency standards. The agency has pulled back on Obama-era clean car rules and will revoke California's waiver to set its own tougher vehicle standards.

At today's hearing, Wheeler said EPA's fuel efficiency rule was not completed yet but the agency was moving forward on revoking California's waiver. Rep. Debbie Dingell (D-Mich.) pleaded with the EPA administrator to restart negotiations with Mary Nichols, chairwoman of the California Air Resources Board, over the clean car standards.

"Mary is willing to go back to the table. Can we go to the table and get one national standard that will keep a strong, competitive auto industry?" Dingell said.

"I would love to have a 50-state solution on this," Wheeler said. He has said recently that he hopes California will not sue the agency once the final regulation is released (***Greenwire***, April 4).

Parochial concerns were also apparent at today's hearing. Dingell took the chance to ask Wheeler to step back from the planned closure of the Large Lakes Research Station, an EPA facility in Grosse Ile, Mich.

"I can certainly take another look at it," Wheeler said, although he noted EPA has been tasked with reducing its real estate footprint.

Rep. John Sarbanes (D-Md.) said EPA's budget plan would cut into its Chesapeake Bay cleanup program. Under the proposal, the initiative would receive $7.3 million, or about 10% of its current funding.

Sarbanes noted Trump had said he would fully fund the Great Lakes cleanup program despite his budget slashing its funds. "We haven't had the same kind of declaration or commitment made with respect to the Chesapeake Bay," said the lawmaker, adding he expected Congress would restore the Chesapeake Bay program's funding.

"We will utilize all the funds that Congress gives us for the bay," Wheeler said.

https://www.eenews.net/eenewspm/2019/04/09/stories/1060151285

UK publishes amended draft REACH SI

Follows industry concern about post-Brexit importer provisions

9 April 2019 / Brexit, REACH, UK

The UK has published changes to the draft REACH statutory instrument (SI) concerning transitional provisions relating to imported substances.

After the REACH SI was laid, the Department for the Environment, Food and Rural Affairs (Defra) received comments from industry about the transitional import provision.

Industry raised concerns that the draft would "still lead to disruption in the supply chain in the case of substances imported from outside the EEA," Defra said.

Under EU REACH, downstream users of substances within the European Economic Area (EEA) do not have to register the substances they use. This includes UK companies who are currently sourcing chemicals from suppliers in the rest of the EEA.

However, these UK companies will become importers into the UK market after Brexit, and will consequently be obliged to register the substances.

The REACH SI provides transitional support to these companies through an interim notification system for imports instead of requiring them to undertake a full registration immediately after Brexit. This transitional import means that qualifying UK companies will be able to continue buying substances from the EEA without any interruption after Brexit.

ORs

Industry was also concerned that the provision did not allow a UK-based only representative (OR) to send the required notification to the Health and Safety Executive, which will be the administrative body governing chemical controls post-Brexit.

EU REACH contains an equivalent provision regarding EEA-based ORs. "While industry has not provided detailed evidence of the impact, the government has decided to reduce the risk through this instrument," Defra said.

Under the notification system, those importing chemicals from the EEA will need to submit basic data on the company, substances and information on safe use within 180 days. The interim notification will need to be replaced with a full registration after two years.

However, the provision in the older draft REACH SI does not include the situation where a chemical was registered by an EEA-based OR but is imported directly into the UK from outside the EEA. "As a consequence, these importers would not benefit from the transitional provisions and would need to register under UK REACH before continuing to import the chemical," Defra said.

The revised provision now "fulfils the intention" that all chemicals registered under EU REACH should be able to access the UK market after exit through the transitional provisions, either by being transferred directly into the UK REACH system in the case of UK-held registrations, or through the notification arrangements.

The legislative change now means a UK-based OR can complete the notification, in which case the importer will be exempt from this duty. "This will reduce burdens on importers and avoid unnecessary duplication by importers and only representatives," Defra said.

The REACH SI passed through the House of Lords – the second, unelected, chamber of the UK Parliament – on 28 March after a motion objecting to it was withdrawn.

The European Council is due to hold a Brexit summit on 10 April to decide whether to approve the UK government's request to delay Brexit until 30 June.

Luke Buxton
Europe editor

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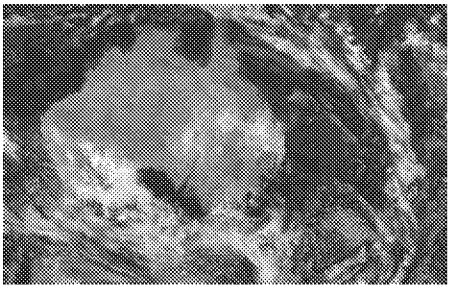
- Explanatory memorandum
- Draft REACH SI

Australia's 'early reforms' now in force

More polymers defined as PLCs and exempt from notification

9 April 2019 / Australia, Labelling, Safety data sheets



Early reforms to "reduce regulatory burden" are now in force in Australia, ahead of a new scheme – the Industrial Chemicals Introduction Scheme – which will come into force on 1 July 2020.
The new scheme is being introduced under the Industrial Chemicals Act, which became law last week.

The changes include:

- exempting polymers of low concern (PLCs) from notification requirements;
- expansion of PLC criteria;
- changing the definition of new synthetic polymer;
- removing the requirements for annual reports for permits and self-assessment certificates; and
- removing the requirements for safety data sheets (SDSs) and labels for exempt cosmetics.

Under the PLC criteria expansion, more polymers will be defined as such and exempt from notification. The national chemicals agency, Nicnas, has an online questionnaire to help determine whether a polymer meets these.

All references to new synthetic polymers in the new definition now read 'greater than 2%' instead of 'at least 2%'. This provides further alignment with the definition in the US and Canada.

SDSs and labels for cosmetics introduced in volumes greater than 10kg a year are no longer required. This applies to cosmetics introduced under the 'no unreasonable risk' category.

Nicnas is also consulting on proposed changes to the new scheme's draft General Rules. Feedback can be submitted until 17 May.

Ellen Tatham
Asia reporter

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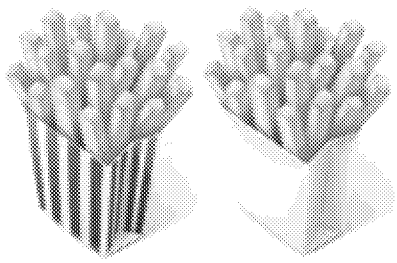
- **Further Information:**

- Nicnas notice
- Polymer questionnaire

NGOs propose key principles for future EU FCM regulation

Effective enforcement and more transparency needed

9 April 2019 / Europe, Food & drink, Food contact, Food contact Regulation 10/2011



A group of NGOs has developed five "basic key principles" which it believes should guide future EU legislation on food contact materials (FCMs) to ensure consumers are protected from harmful chemicals.

Their release follows the start of the EU's evaluation process for FCM legislation. Since basic provisions set out 42 years ago, this never been evaluated.

The FCM Regulation of 2004 describes the general principles of chemical safety and provides further powers to enact specific EU measures for specified materials and articles. Certain rules are in place for plastic FCMs but there is a lack of harmonised laws for others.

The current public consultation on the evaluation is open until 6 May.

NGOs have blasted current controls on FCMs as being "outdated and full of holes". Their principles are "meant to spark new discussions" about the safety of FCM and final food contact articles.

The group is comprised of European NGOs CHEM Trust, ChemSec, Client Earth, the European Environmental Bureau, the Food Packaging Forum and Health and Environment Alliance (Heal). Consumer groups Danish Consumer Council and Beuc are also part of the coalition, alongside US Breast Cancer Prevention Partners.

Key principles

They have asked all stakeholders to consider supporting the five principles. According to the group, the new EU regulation of chemicals in food contact materials must ensure:

- **a high level of protection of human health**: all substances used in food contact materials should have adequate safety data, provided by industry and should be regularly reviewed for this use by public authorities. The presence of substances that are already restricted in the EU, and those meeting the REACH criteria for SVHCs, should be automatically prohibited;

- **thorough assessment of chemicals in materials and final articles**: the presence in, and migration of, chemicals in food contact articles – including non-intentionally added substances (NIAS) – should be measured, assessed and controlled. Absence of reliable migration data should imply presumption of full migration. Both industry and regulators should ensure that any migration is understood and limited to ensure a high level of protection of public health;
- **effective enforcement**: national governments must ensure this via checks on both imported and EU-manufactured finished articles using the best available analytical methods. Producers and importers of chemicals used in FCMs should always be responsible for providing adequate analytical standards and analytical methods to regulators and test laboratories;
- **a clean circular economy based on non-toxic material cycles**: as the EU's transition to a circular economy gains momentum, it is vital that the efforts to encourage recycling do not perpetuate the use of harmful chemicals in FCM; and
- **transparency and participation**: supply chains and final consumers should have a right to know the identity and safety information on chemicals used in, and migrating from, food contact materials. Regulatory and policy processes should, as a minimum, adhere to the same standards of openness and stakeholder participation that have been established in REACH.

Michael Warhurst, executive Director of CHEM Trust, said that lack of controls on chemicals next to food is a "scandal". Reforming these "ineffective" laws has to be an important priority for the next Commission, who should receive the outcome of this evaluation at the start of their term, he added.

Luke Buxton
Europe editor

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- EU Commission begins evaluation of FCM regulation
- EU regulation of FCMs 'outdated and full of holes'
- Cefic calls for greater collaboration on circular economy transition

- **Further Information:**

- Press release
- EU FCM evaluation

EU highlights concerns with Israel's draft cosmetics regulation

Quarterly report requirement 'challenging and time consuming'

10 April 2019 / Cosmetic products Regulation, Europe, Israel, Personal care

The EU has said it is concerned that some of its comments on Israel's draft cosmetics regulation "have not been taken into account".

In an 8 April WTO notification, the EU noted various instances where the draft deviates from EU legislation, on which it is based.

The new law follows the EU in proposing to link each cosmetic product with a 'responsible person'. But Israel has added a requirement for the responsible person to submit quarterly reports for every product, which does not align with the EU cosmetics Regulation.

This would be "very challenging and time consuming for companies without providing additional protection to consumers," the EU said. It recommended the Israeli authorities reconsider this new obligation.

And a requirement to obtain Good Manufacturing Practice (GMP) certification from an authority is "not in line with the EU cosmetics Regulation or with any international practice across the world," it said.

It added that a clear disadvantage is already being observed for companies based in those EU countries that do not have a competent authority delivering GMP certificates.

Nanomaterial pre-notification

The draft regulation also requires products containing nanomaterials to be notified, six months before being placed on the market. In the EU, these requirements do not apply to any nanomaterials listed in Annexes III to VI of the cosmetics Regulation.

"The inclusion of nanomaterials in the EU annexes means that they have undergone very extensive risk assessment and have a favourable Opinion (in their nanoform) from the EU Scientific Committee for Consumer Safety (SCCS)," the EU noted.

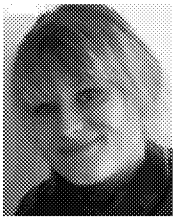
It strongly recommended Israel follows this approach, so that the pre-notification process applies only for new nanomaterials that are not yet listed in the EU's cosmetics annexes.

The EU also urged a "sufficient lead time" to ensure the proper functioning of the new regulatory system. It recommended a transition period of at least one year to implement the new legislation and at least six months after the notification portal is fully functional, to ensure that companies comply with the new requirements.

It is "important to note", the EU said, that when the notification system was introduced in Europe in 2013, it entered into force after a transition period of three and a half years.

Israel's February response to the EU comments came 17 months after the EU's original submission in August 2017.

A final draft of the regulation, called the Pharmacist Regulations (Cosmetics), was reported to be before the Israel parliament in January.



Charlotte Niemiec
Deputy news editor

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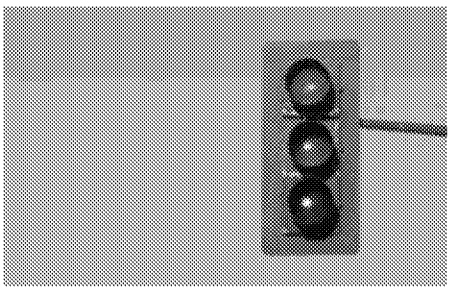
- WTO notification

US NGO seeks 'moratorium' on new PFASs

Pressure mounts on class of substances' use in products

10 April 2019 / Alternatives assessment & substitution, Substances of concern, United States



An NGO in the US has called on Congress to halt the introduction of new per- and polyfluoroalkyl substances (PFASs) until there is "sufficient scientific information" on their toxicity and persistence in the environment.

A review of TSCA chemical data reporting (CDR) information by the Public Employees for Environmental Responsibility (PEER) suggests that the number of PFAS varieties produced in or imported in very large quantities into the US has "skyrocketed", from 76 in 2002 to 118 during the most recent reporting cycle (2012-15).

In a 27 March letter to leaders of the Senate Environment and Public Works Committee (EPW), PEER said this jump has come after industry voluntarily pledged to phase out the use of two long-chain substances – PFOA and PFOS – because of their toxicity and biopersistence.

But according to Kyla Bennett, PEER science policy director, the rapid influx of short-chain substitute PFASs onto the market "makes it impossible for public health agencies to keep up with toxicology assessments in time to protect the public."

PEER has encouraged lawmakers to adopt a 'moratorium' on any new PFASs and require manufacturers to contribute to a research fund for risk assessments by toxicologists not affiliated with industry.

And the Environmental Working Group's senior scientist David Andrews agreed: "Stop allowing the chemical industry to substitute versions of chemicals known to be hazardous with new formulations that haven't been adequately tested for safety and may be just as hazardous."

However, the FluoroCouncil, a subsidiary of the American Chemistry Council (ACC), disagrees that a "blanket, one-size-fits all" approach is appropriate for PFASs. Efforts to regulate PFAS as a class, said the organisation's Robert Simon, "are not only misleading for the public, they are scientifically inaccurate".

The amended TSCA requires that new chemistries – which includes all new short-chain PFASs – have an affirmative safety determination before they are brought to market, Mr Simon told Chemical Watch.

A 'protective action agenda'

Meanwhile, the NGO Safer Chemicals, Healthy Families has released a 'protective action agenda' on PFAS contamination that broadly advocates phasing out their use in products.

PFASs have been used for several decades as surfactants in fire retardants, in furniture, food packaging and non-stick cookware, among other uses. But according to the SCHF, the best way to prevent pollution is to avoid putting them in consumer, commercial and industrial products at all.

A coalition of state environmental agencies echoed this request in a letter to EPA Administrator Andrew Wheeler last week.

The comments came in response to the EPA's PFAS management plan. Released in February, this largely focused on cleanup of legacy substances, and was criticised by the environmental advocacy community for its lack of specificity.

The groups called on Mr Wheeler to "go beyond PFOA and PFOS and beyond drinking water" in the agency's approach to PFASs. And they said the EPA should develop "appropriate measures for the entire class of PFAS chemicals" and impose more concrete timelines and deadlines for this process.

Congressional focus

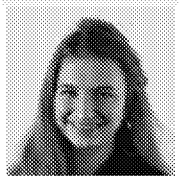
Outside federal agencies, the class of chemicals has also increasingly drawn bipartisan attention in Congress.

The Senate EPW held a 28 March hearing focused on the federal response to PFAS-associated risks. Chairman John Barrasso (R-Wyoming) highlighted the importance of industry cooperating with the EPA, the CDC and the National Institutes of Health (NIH) "to help these agencies better detect PFAS, identify where these chemicals are produced and used and understand the risks associated with them."

And bipartisan legislation focused on PFASs has been introduced in both chambers, including:

- the PFAS Action Act (S 638 / HR 535), which would require the EPA to designate PFAS chemicals as hazardous substances under the Superfund toxics law;
- the PFAS Detection Act, which would provide the US Geological Survey with $45m to develop new PFAS-detection technologies, and then to conduct nationwide sampling for the substances;
- the Veterans Exposed to Toxic PFASs Act, which aims to address risks posed by exposure to PFAS-containing firefighting foams at military bases, by requiring the veterans affairs department to cover the costs of resulting health problems; and
- the Protecting Military Firefighters from PFAS Act (S 858), which would require the Pentagon to provide blood testing for military firefighters, in order to determine potential exposure to PFASs.

The EWG's Scott Faber says that the bipartisan interest in the issue "underscores just how serious this PFAS crisis is throughout the country".



Lisa Martine Jenkins
Americas reporter

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- US EPA announces PFAS action plan
- EPA accused of dragging its feet with federal PFAS management plan
- Members of US Congress launch PFAS action taskforce

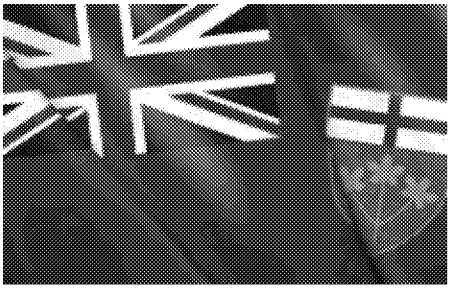
- **Further Information:**

- PEER press release
- SCHF press release
- State agencies' letter
- Senate hearing
- PFAS Action Act of 2019
- Representative Dingell on PFAS Detection Act
- Senator Peters on VET PFAS Act
- Protecting Military Firefighters from PFAS Act

Ontario passes repeal of Toxics Reduction Act

Move aimed at reducing regulatory burdens

10 April 2019 / Canada, Environmental Protection Act, Substance notification & inventories



The Canadian province of Ontario will repeal its Toxics Reduction Act (TRA) by 2021 in an effort to avoid "unnecessary duplication" with the federal government's toxic substance assessment programme – the Chemicals Management Plan.

The repeal, which was signalled in December, is included in the Restoring Ontario's Competitiveness Act (Bill 66) that received royal assent on 3 April. The package of more than 30 measures is aimed at "reducing regulatory burdens in 12 sectors".

Ontario's TRA requires industry to voluntarily develop toxic reduction plans and report yearly. However, the province says the law will become redundant because the CMP will have assessed all affected substances by the end of 2020.

It will also amend Ontario Regulation 455/09 to end all toxic substance reduction planning and reporting on new toxic substances, effective immediately.

When Ontario's current government took office last year, it put forward its Open for Business Action Plan to eliminate red tape within the state. The plan committed the province to bringing forward a series of legislative packages to eliminate burdens to business. Bill 66 was the first of these.

Industry lobby

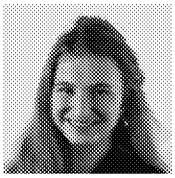
The Chemical Industry Association of Canada has lobbied for the repeal of the TRA since its passage in 2009, citing the fact that Ontario is the only province in the country that imposes its own chemical reporting requirements on industry. The rest of the country defers to the combined authorities of the CMP and the National Pollutant Release Inventory.

Don Fusco, CIAC's director of government and stakeholder relations for Ontario, said the organisation's support of Bill 66 is a symptom of "ongoing advocacy to recommend burden reductions where there are duplicate regulations".

"The TRA created an additional regulatory burden on industry with no discernable [sic] benefit," said CIAC. "It must be clearly understood that repealing the Act causes no gap in regulatory oversight for substances deemed toxic in Canada."

In December, preliminary results from Ontario's Ministry of the Environment, Conservation and Parks indicated just a 0.04% reduction overall in the substances used, created and released in the province as a consequence of the programme, which the Ministry cited as evidence that it has "not achieved meaningful results".

However, the NGO Environmental Defence Canada has disputed the repeal of the TRA, saying it "not only takes away effective and business-friendly tools to reduce pollution, it may also result in increasing Ontarians' exposure to toxics."



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Americas reporter

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